



United States Army Medical Research Acquisition Activity USAMRAA



Proper Use of Non- Department of Defense (Non-DoD) Contracts



Army Contracting: One Community Serving Our Soldiers, Serving Our Nation



Background:

- Army Policy entitled “Proper Use of Non-Department of Defense (Non-DoD) Contracts,” issued 12 Jul 05
- USAMRAA Procurement Advisory Notice 05-05 entitled “Proper Use of Non-Department of Defense (Non-DoD) Contracts,” issued 07 Sep 05

Proper Use of Non-DoD Contracts



Applicability:

- Policy applicable to Direct Acquisitions as well as Assisted Acquisitions exceeding \$100,000.00 (including orders placed against GSA Federal Supply Schedules)
- A certification is required for every such award
- Policy does not apply to the procurement of printing, binding or blank-book work

Proper Use of Non-DoD Contracts



► Definitions:

- Direct Acquisition – A task or delivery order placed by a DoD official, contracting officer, or ordering officer under a contract awarded by a non-DoD agency
- Assisted Acquisition – A contract awarded or a task or delivery order placed on the behalf of DoD by a non-DoD agency

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► Definitions (Continued):

- **Designated Contracting Office** – The DoD contracting office that is responsible for providing primary contracting support to a particular requiring activity
- **Requiring Activity** – The DoD organization that has a requirement for supplies or services and requests the initiation of, and provides funding for, an assisted or direct acquisition to fulfill that requirement

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► Definitions (Continued):

- **Fund Authorizing Official** – The person who executes the funds authorization portion of any official form used to provide funding, certifying that funds for the procurement are properly chargeable to the allotment(s) furnished and that the available balances are sufficient to cover the estimated price of the order.
- **Fund Certifying Official** – The person who executes the fund certification portion of the commitment document, certifying that the funds have been committed for the supplies or services being requested

Certification for Direct Acquisitions:

- **Army customer** — Certification is a collaborative effort among the head of the requiring activity, the contracting officer, and the fund certifying official
- **Non-Army DoD customer** — No certification required. Instead, a statement must be authored by the head of the requiring activity or the contracting officer attesting the acquisition is in the best interest of the Department of the Army upon consideration of DFARS 217.7802
- The contracting officer shall obtain written concurrence from supporting legal counsel prior to placement of the order

Certification for Assisted Acquisitions:

- Certification is a collaborative effort among the head of the requiring activity, the contracting officer, and the fund authorizing official
- The head of the requiring activity shall obtain written legal concurrence with this approach before transmitting the requirement to the servicing contracting agency

ANNUAL REPORT OF ASSISTED ACQUISITIONS:

Each fiscal year, the Commander, USAMRMC, shall ensure activities within the Command collect data on their use of assisted acquisitions. Each Command component will then submit a yearly assisted acquisition report, including a negative report, to the Program and Budget Division, MEDCOM ACRSM.